

Ronald M. Horwitz (005655)
Janessa E. Koenig (018618)
JABURG & WILK, P.C.
3200 N. Central Avenue, Suite 2000
Phoenix, Arizona 85012
rmh@jaburgwilk.com
jek@jaburgwilk.com
(602) 248-1000

Attorneys for Movant

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA

In re:

SHAD W. SCHAFER and
CANDANCE M. SCHAFER

Debtors.

Chapter 7

Case No: 2-09-bk-22507-GBN

WELLS FARGO FINANCIAL ARIZONA,
INC.,

Movant,

v.

SHAD W. SCHAFER and
CANDANCE M. SCHAFER and
ROGER W. BROWN, Trustee,

Respondents.

**NOTICE OF FILING MOTION FOR
RELIEF FROM THE AUTOMATIC STAY**

**TO DEBTORS, DEBTORS' COUNSEL, THE TRUSTEE
AND OTHER PARTIES-IN-INTEREST**

NOTICE IS HEREBY GIVEN, pursuant to General Order Number 47, that the above Movant has filed a Motion for Relief From the Automatic Stay and Request for Adequate Protection in the above referenced Chapter 7 Proceeding.

1 In the Motion for Relief from the Automatic Stay, the Movant has alleged as follows:

2 1. The Movant has a perfected lien on the real property described in the Note and
3 Deed of Trust dated June 18, 2007.

4 2. That the Debtors have been unable to afford Movant adequate protection for its
5 interest in said real Property.

6 3. That there is little equity in said real Property for the Bankruptcy Estate and said
7 Property is not necessary for an effective reorganization.

8 4. That Movant should be permitted to foreclose its liens upon said real property.
9 That the stay afforded by 11 U.S.C. § 362 should be modified to permit Movant to
10 foreclose its liens on the real property described in its Motion on file herein.

11 Any objection or response to the Motion for Relief From the Automatic Stay and Request
12 for Adequate Protection must be in writing and the original filed with the Clerk of the United
13 States Bankruptcy Court, with a copy served upon Movant's attorney, RONALD M. HORWITZ,
14 JABURG & WILK, P.C., 3200 North Central Avenue, Suite 2000, Phoenix, Arizona 85012

15 FURTHER NOTICE IS HEREBY FURTHER GIVEN that if no written objection or
16 response to the Motion for Relief from the Automatic Stay and Request for Adequate Protection
17 is filed within fourteen (14) days of the date of service of this Notice, the Motion for Relief from
18 the Automatic Stay and Request for Adequate Protection may be granted, without further hearing.

19
20 RESPECTFULLY SUBMITTED this 19th day of April, 2010.

21 **JABURG & WILK, P.C.**

22
23 s/ Ronald M. Horwitz
24 Ronald M. Horwitz
25 Attorneys for Movant
26
27
28

1 **COPY** of the foregoing mailed
2 this 19th day of April, 2010, to:

3 SHAD W. SCHAFER
4 CANDANCE M. SCHAFER
5 9223 E. Adobe Rd.
6 Mesa, AZ 85207

7 MARI JO CLARK
8 3700 N. 24th St., #120
9 Phoenix, AZ 85016

10 ROGER W. BROWN
11 P.O. Box 32967
12 Phoenix, AZ 85064-2967

13 s/ Jeanette Chavez
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JABURG & WILK, P.C.
ATTORNEYS AT LAW
3200 NORTH CENTRAL AVENUE
SUITE 2000
PHOENIX, ARIZONA 85012